

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1822 of 1989

with

SPECIAL CIVIL APPLICATION No 905 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

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Versus

GUJ.AGRI. UNIVERSITY

Appearance:

1. Special Civil Application No. 1822 of 1989
MR KS JHAVERI for Petitioners
MR JR NANAVATI for Respondent No. 1
NOTICE SERVED for Respondent No. 2
MR KM PATEL for Respondent No. 3
2. Special Civil ApplicationNo 905 of 1990
MR KM PATEL for Petitioners
MR SN SHELAT for Respondent No. 1
MR KS JHAVERI for Respondent No. 3

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 20/04/2000

COMMON ORAL JUDGEMENT

With the consent of learned counsel of both the parties, both these petitions are disposed of by this common judgment.

I have heard Mr. K. S. Zaveri, learned counsel appearing on behalf of the petitioner and Mr. S.N.Shelat, learned counsel appearing on behalf of the respondent -Gujarat Agricultural University.

The petitioner of Special Civil Application No. 905 of 1990 claimed certain benefits and since the same was not extended, he filed the present writ petition. It is submitted by Mr. S.N.Shelat that the University wanted to extend some benefits to the petitioner of Special Civil Application No.905 of 1990. The petitioners who filed Special Civil Application No.1822 of 1989 challenged that the petitioner of Special Civil Application No.905 of 1990 is not entitled to get the benefits as proposed by Respondent University. Mr. S.N.Shelat, learned counsel appearing on behalf of the University submitted that the University has considered both the cases. In the case of the petitioner of Special Civil Application No.905 of 1990, the University has upgraded the post and given the higher scale personal to him and the post held by the petitioner has been kept outside the grade of Stenographer service. Though the petitioner has been given a separate scale, the same has been made equivalent to the scale of Stenographer Grade I.

As regards Special Civil Application No. 1822 of 1989, it is submitted by Mr. K.S.Zaveri, learned counsel appearing on behalf of the petitioners that the petitioners filed the present writ petition claiming their promotions and since the University has promoted the petitioners, and therefore, at present they have no grievance.

In view of the fact that the status of the petitioners of Special Civil Application No. 1822 of 1989 have not been changed by the respondent Gujarat Agricultural University, I am of the view that the petitioners should not have any grievance, particularly while they have also been considered and promoted to the

higher grade in view of the submission as made by the learned counsel appearing on behalf of the University. In view of the above fact, both the writ petitions have become infructuous and therefore, they are disposed of as infructuous. The reliefs claimed by the petitioners in both writ petitions have been granted by the respondent University as aforesaid. Rule in both the writ petition is discharged, but I make no order as to costs in both the cases.

Date:20/4/2000. (P.K.SARKAR,J.)

ccshah